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Attorneys for Plaintiffs, Beverly Bittner; Estate of Donald Swisher; Anthony Covarrubias, Eric Covarrubias, Sabrina Covarrubias, Alexander Covarrubias, and Dante Covarrubias.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BEVERLY BITTNER; ESTATE OF
DONALD SWISHER; ANTHONY
COVARRUBIAS, ERIC COVARRUBIAS,
SABRINA COVARRUBIAS,
ALEXANDER COVARRUBIAS, and
DANTE COVARRUBIAS,

Plaintiffs,

vs.

TERESA SCHWARTZ, Warden, California
Medical Facility; SGT. WALKER;
CORRECTIONAL OFFICER VAN;
CORRECTIONAL OFFICER MAY;
CORRECTIONAL OFFICER MILES,
CORRECTIONAL OFFICER COOZ;
CORRECTIONAL OFFICER PHAM;
CORRECTIONAL OFFICER ARCHER;
XUEWIE ZHU, M.D.; WESLEY
McALLISTER, M.D.; and
DOES 1 - 100, inclusive,

Defendants.

CASE NO: CIV. S-04-1901 LKK/KJM

Hon. Lawrence K. Karlton

**ORDER GRANTING PETITIONS FOR
APPOINTMENT OF GUARDIAN *AD*
LITEM BY DANTE COVARRUBIAS,
ANTHONY COVARRUBIAS, ERIC
COVARRUBIAS, AND LENETTE
COVARRUBIAS ON BEHALF OF
SABRINA COVARRUBIAS AND
ALEXANDER COVARRUBIAS**

(F.R.C.P. 17(c); L.R. 17-202(a).)

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ORDER

The petitions for an order appointing Lenette Covarrubias as guardian ad litem for Plaintiffs Dante Covarrubias, Anthony Covarrubias, Eric Covarrubias, Sabrina Covarrubias and Alexander Covarrubias are GRANTED.

IT IS SO ORDERED.

DATED: October 7, 2005

/s/Lawrence K. Karlton
LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

PROOF OF SERVICE

I am employed in the County of Los Angeles and I am a resident thereof. I am over the age of eighteen and not a party to the within action; my business address is 270 N. Cañon Drive, Third Floor, Beverly Hills, CA 90210.

On September 28, 2005 I served the following documents described as:

[PROPOSED] ORDER GRANTING PETITIONS FOR APPOINTMENT OF GUARDIAN *AD LITEM* BY DANTE COVARRUBIAS, ANTHONY COVARRUBIAS, ERIC COVARRUBIAS, AND LENETTE COVARRUBIAS ON BEHALF OF SABRINA COVARRUBIAS AND ALEXANDER COVARRUBIAS

on the interested party(ies) in this action by placing true copies thereof enclosed in sealed envelopes and/or packages addressed as follows:

See Attached List

☒ **BY MAIL:** I deposited such envelope in the mail at Beverly Hills, California. The envelope was mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Beverly Hills, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY OVERNIGHT DELIVERY:** I served such envelope or package to be delivered on the same day to an authorized courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier.

☒ **BY FACSIMILE:** I served said document(s) to be transmitted by facsimile. The telephone number of the sending facsimile machine was (310) 246-3819. The name(s) and facsimile machine telephone number(s) of the person(s) served are set forth in the service list. A transmission report was properly issued by the sending facsimile machine, and the transmission was reported as complete and without error before 5:00 p.m..

☐ **BY HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the office of the addressee(s) indicated.

☐ **PERSONAL DELIVERY**

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this September 28, 2005 at Beverly Hills, California.

/s/
Gail Ganaja

SERVICE LIST

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